

CC Docket No. 94-102 – January 2004 E911 Interim Report

Filed by: Excomm, L.L.C.
□ John Champagne
101 East Park Blvd., Suite 551
Plano, TX 75074

Date: January 15, 2004

To: Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

By Electronic Submission:

John Muleta, Chief
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

David Solomon, Chief
Enforcement Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**TIER III CARRIER INTERIM REPORT
AS OF JANUARY, 2004
CC Docket No. 94-102**

Excomm, L.L.C. ("Excomm") hereby submits its E911 Interim Report, pursuant to *Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Phase II Compliance Deadlines for Non-Nationwide CMRS Carriers*, CC Docket No. 94-102, FCC 02-210, released July 26, 2002 (*Non-Nationwide Carrier E911 Order*), *Public Notice*, DA 03-2113, released June 30, 2003, and *Order to Stay*, FCC 03-241, released October 10, 2003.

Carrier Identifying Information:

Carrier Name: Excomm, L.L.C. – FRN 0005-8475-12

E911 Compliance Officer: John D. Champagne
101 East Park Blvd., Suite 551
Plano, TX 75074

E911 Implementation Information:

Excomm is operating as a "carriers' carrier". Thus, Excomm has no subscribers and will not have any subscribers. Based on this premise, Excomm hereby reports as follows:

- ☐ Excomm has received one Phase I request from the PSAP for Fremont County, WY. Excomm has not received any other Phase I nor any Phase II requests from any other PSAPs in this or any of its other markets. Excomm retained the services of Intrado, Inc., as a consultant to assist it in contacting and working with the Fremont County PSAP and any other PSAP in its markets that may request Phase I E911. Intrado is one of the most respected names in the E911 industry. Most of its personnel have over twenty years of experience working for PSAPs or in the PSAP field. The Fremont County PSAP request was premature, as, by its own admission, the PSAP will not be ready to receive Phase I E911 until mid-January, 2004 at the earliest. Regardless, Excomm and Intrado have been in continuous communications with the Fremont County PSAP, in an effort to prepare for the timely implementation of Phase I E911 in the county.

Excomm has obtained and installed all of the equipment and software necessary to implement Phase I E911 in Fremont County, and Excomm has also been working closely with the PSAP to conduct tests of its Phase I solution in the county, to ensure that Excomm's Phase I solution will operate correctly when implemented. The tests were all positive. While Fremont County has a cost recovery program, it is based on subscriber fees. Because Excomm has no subscribers, Excomm will not be able to obtain cost recovery for implementation of Phase I E911 from Fremont County.

Excomm's system operates in rural areas, and it can take a LEC as long as 12 or even 18 months to install a new landline in a rural area. Thus, there is the substantial possibility that any PSAP's request would remain outstanding longer than six months while Excomm awaits the installation of a landline connection to the PSAP.

- ☐ Excomm elected a handset-based solution. Excomm is using analog and TDMA technology, and is considering migration to GSM.
- ☐ Excomm has installed all of the necessary switch hardware and software for Phase I E911 deployment. Excomm still anticipates a significant problem with its Phase II E911 deployment. There is currently no Phase II-compliant handset-based solution available for either TDMA or GSM, and it appears that one will not become available any time in the near future. Moreover, Excomm is unable to switch to a network-based solution, because it is technically impossible. The only Phase II-compliant network-based solutions available are based on either triangulation techniques, which can work only when the network is receiving location information on the involved mobile unit from three different cell sites, or angle of arrival techniques ("AOA"), which can work only when the network is receiving location information from at least two different cell sites.

A network-based solution for Phase II E911 is not technically feasible in either Fremont County or in any of Excomm's other markets. With regard to Fremont County, the portions of the county being served by Excomm's system, are remote, rural areas and the two stand-alone cell sites in the county are spread far apart. There is no overlap between the two cells, which are approximately 100 miles apart, and Excomm has no other cells within 50 miles in any adjacent county. Thus, no portion of Fremont County is susceptible to either triangulation techniques or AOA techniques. Likewise, respecting Excomm's other cellular markets, each system serves only remote, rural areas. Virtually all are stand-alone single-cell systems.¹ Triangulation techniques are not possible in any of Excomm's other markets. Only very small portions of two of these other markets may be susceptible to AOA techniques, but even if implemented, Excomm would never reach a 95% accuracy level on a system-wide basis, as prescribed by §20.18 of the Commission's rules.

- ☐ Excomm obtained ALI-capable handsets from Airbiquity prior to the October 1, 2002 deadline, such that they were available if requested. Excomm did not encounter any problems in obtaining or negotiating agreements to obtain these ALI-capable handsets. Excomm added no new subscribers after October 1, 2002. As previously discussed, Excomm is now operating entirely as a "carriers' carrier". Excomm currently has no subscribers, but, rather, serves only the customers of other carriers. Excomm will not have any future subscribers.
- ☐ Excomm does not anticipate that full Phase II service will ever be available in its network, for the reasons discussed above pertaining to the permanent absence of any available Phase II

¹ The only exceptions are: (1) the system in Colorado licensed under call sign WPUD549 with three contiguous cells; and (2) the system straddling the North Dakota and South Dakota border licensed under call sign WPUP317 with three contiguous cells.

TDMA handsets and the impossibility of employing a network-based solution, both of which are beyond Excomm's control. Even if Excomm were to migrate to GSM technology, there is currently no GSM handset-based technology available, and vendor predictions of future development are unreliable. Excomm has a request pending with the Commission for a permanent waiver of the Phase II requirements.

- ☐ With regard to meeting the ultimate implementation date of December 31, 2005, see above.